IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORIGINAL SIDE

APPEAL NO.120 OF 2006
IN
NOTICE OF MOTION NO.3053 OF 2005
IN
SUIT NO.4593 OF 2000

Sadanand S. Shet — Appellant
vs.
Nitin Nagarji Mehta — Respondent

Ms.Beena Chavan i/b.Ms.Rekha Rajgopal for the appellant.

Mr.R.S.Mishra for the respondent.

CORAM : R.M. LODHA &
ANOOP V. MOHTA, JJ.

DATED : 28th February 2006

P.C.

After having considered the submissions of the learned counsel for the appellant, we do not find justifiable ground to interfere in the impugned order. However, we are of the view that the notice of motion deserves to be heard at an early date. We grant liberty to the appellant to apply to the learned motion Judge for fixing the early date of hearing of the notice of motion.

2. With the aforesaid observation, the appeal is dismissed in limine.

(R. M. LODHA, J.)

(ANOOP V. MOHTA, J.)